



1 fu 1723

Modified PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 12/08/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 00.00)

## Complete if Known

Application Number	09/400,034
Filing Date	September 21, 1999
First Named Inventor	Ralph K. ITO
Examiner Name	Matthew O. Savage
Art Unit	1723
Attorney Docket No.	Olympus-13

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1049

Deposit Account Name Straub & Pokotylo

The Commissioner is authorized to: (check all that apply)

☐ Charge any underpayment of fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) due in connection with the filing submitted herewith

☐ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH & EXAMINATION FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1000	500	Utility fee	
430	215	Design fee /	
660	330	Plant fee	
1400	700	Reissue fee	
200	100	Provisional fee	
SUBTOTAL (1)			(\$ 00.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	26	-52** =	0	X	50.00	=	00.00
Independent Claims	8	-9** =	0	X	200.00	=	00.00
Multiple Dependent						=	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple dependent claim, if not paid
1204 200	2204 100	**Reissue independent claims over original patent
1205 50	2205 25	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 00.00)

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 500	2452 250	Petition to revive - unavoidable	
1453 1,500	2453 750	Petition to revive - unintentional	
1501 1,400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1503 1,100	2503 550	Plant issue fee	
Petitions to the Commissioner - check fee sheet			
1807 50	1807 50	Processing fee under 37 CFR 1.17(c)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 00.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	John C. Pokotylo	Registration No. (Attorney/Agent)	36,242	Telephone	(732) 542-9070
Signature		Date	October 13, 2005		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.



Please type a plus sign (+) inside this box ----> 


Modified PTO/SB/21 (08-00)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="margin: 5px 0;"><i>(to be used for all correspondence after initial filing)</i></p>	<b>Application Number</b>	09/400,034
	<b>Filing Date</b>	September 21, 1999
	<b>First Named Inventor</b>	Ralph K. ITO
	<b>Group Art Unit</b>	1723
	<b>Examiner Name</b>	Matthew O. Savage
<b>Total Number of Pages in This Submission</b>	<b>Attorney Docket Number</b>	Olympus-13

ENCLOSURES <span style="float: right;"><i>(check all that apply)</i></span>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Postcard Receipt  <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<div style="border: 1px solid black; width: 100px; height: 20px; float: left; margin-bottom: 5px;">Remarks</div> <div style="border: 1px solid black; width: 500px; height: 60px; margin-top: 5px;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John C. Pokotylo (Reg. No. 36,242)
Signature	
Date	October 13, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <span style="border: 1px solid black; padding: 2px 20px;">October 13, 2005</span>			
Typed or printed name	John C. Pokotylo		
Signature		Date	October 13, 2005

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **Olympus-13**

Appl. No.: **09/400,034**

Applicant: **Ralph K. ITO**

Filed: **September 21, 1999**

Title: **METHODS AND APPARATUS FOR PREPARING A FLUID SAMPLE  
ALIQUOT**

TC/A.U.: **1723**

Examiner: **Matthew O. Savage**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

In response to the Decision on Appeal mailed on July 26, 2005 and a telephone call from Examiner Savage inviting the applicant to amend the claims, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.